

2. Remarks

The Examiner rejected Claims 1-6 and 9 – 14 on the ground of nonstatutory obviousness-type double patenting over U.S. Patent No. 6,658,119 (the “‘119 Patent”) which issued December 2, 2003.

Applicants respectfully submit that the rejection of these claims on the basis of double patenting is in error. The third sentence of 35 U.S.C. 121 prohibits the use of a patent issuing on an application with respect to which a requirement for restriction has been made, or on an application filed as a result of such a requirement, as a reference against any divisional application, if the divisional application is filed before the issuance of the patent.

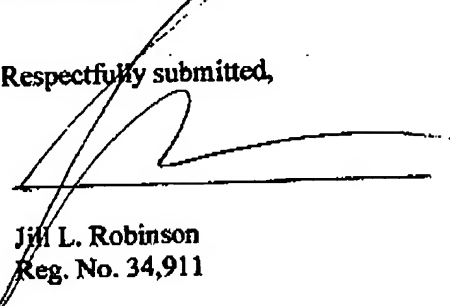
The ‘119 Patent issued from Patent Application No. 09/014,329 (the “‘329 Application”). The current application is a divisional of the ‘329 Application and was filed prior to the issuance of the ‘119 Patent. Each of the rejected claims originally appeared in the ‘329 Application as claims 1-13 and 30. On November 5, 2002, the Examiner in the ‘329 Application required restriction. Each of the claims was subsequently removed from the ‘329 Application in response to the restriction requirement.

3. Conclusion

Applicants respectfully request reconsideration and allowance of all claims.

Respectfully submitted,

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